

Quiet veto resolves budget mishap - ALSO: Musical - Times-Picayune, The (New Orleans, LA) - January 12, 2008 - page 01

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New Orleans mayors do not often veto actions by the City Council.

Ray Nagin has done it only five times in more than five and a half years as mayor, and his most recent veto, unlike some previous ones, created almost no controversy.

Nagin last month vetoed one small item in the city's 2008 operating budget -- striking a \$125,000 appropriation in a \$912 million spending plan.

The council had added the money to pay for a task force to monitor whether the city's Office of Public Advocacy is providing good service to people who have complaints or questions about city government. Members of the council have said the advocacy office, part of the mayor's office, is not doing a good job.

Nagin's objection was that the \$125,000 had been added to the council's budget, not to his.

"The handling of these complaints is clearly within the duties and responsibilities of the executive, not the legislative, branch of city government. This appropriation constitutes an improper intrusion by the council into the operations of the mayor's office," he wrote in his Dec. 10 veto message. He said the money should have been given to the Office of Public Advocacy itself.

The council decided not to get into a fight over the issue. President Arnie Fielkow said the money had been put in the wrong category by mistake, and the council this week approved an ordinance transferring the \$125,000 to the budget of the mayor's office. Nagin then sent the council a letter saying, "My veto is now moot."

Not so moot are the council's continuing complaints about the Office of Public Advocacy's work.

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MUSICAL CHAIRS AT THE COUNCIL: Besides being one of the council's two at-large members and therefore its president in alternating years, former Councilman Oliver Thomas was chairman of the powerful Utility Committee, which controls millions of dollars in annual contracts to the consultants who advise the council about regulating Entergy New Orleans. Thomas also was chairman of the Housing and Human Needs Committee, once a fairly obscure body that has assumed a much higher profile since Hurricane Katrina.

When Thomas resigned his at-large seat Aug. 13 after pleading guilty to federal bribery charges, Councilwoman **Shelley Midura** took over leadership of the Utility Committee and Councilwomen

Cynthia Willard-Lewis and Stacy Head became co-chairwomen of the housing panel.

Thomas' interim successor, Michael Darnell, was given seats on several committees but no chairmanships.

When Jackie Clarkson joined the council late in 2008 after winning a special election to fill out Thomas' term, the question was whether the leaders of any of the council's more important committees -- such as budget, utility, economic development, sanitation, housing or public works -- would step aside and let her assume the reins.

The answer, at least for now, is no. The only chairmanship Clarkson will hold is of the newly formed Special Arts and Culture Committee, though she is a member or alternate member of several other panels.

Clarkson said she isn't happy with that situation but that she doesn't want to disrupt the council's harmony by trying to push any incumbent chairmen aside -- at least for now. She said that could change when she becomes president of the council in June, giving her more authority to make appointments.

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THE LADY IN RED -- SOMETIMES: Clarkson is known for her fondness for red clothing, but she said she knew better than to wear that color during Monday night's BCS college football championship game at the Superdome, where LSU beat Ohio State.

The issue came up Tuesday morning as a council committee held a hearing on, of all things, tax increment financing policy.

Local lawyer Gary Elkins began by saying he had been glad to see Clarkson was not wearing Ohio State red at the Dome.

Clarkson said she always makes sure her outfits are color-coordinated with the occasion. "You never see me in the wrong color," she said. "I was a high school cheerleader. I haven't grown up yet."

A few minutes later developer Darryl Berger told Clarkson, "Please don't grow up. You're wonderful the way you are."

Elkins and Berger are both advocates of tax increment financing, which offers developers tax breaks as a way of fostering projects that otherwise might not get built. So was a third member of the panel of expert witnesses, lawyer and political dealmaker Bill Broadhurst.

That left Janet Howard, president of the Bureau of Governmental Research, as the only panel member expressing skepticism about the tax device.

It was surely the first time in history that the leader of one of the city's best-known "good government" groups sat at the same table with Broadhurst, known for his associations with

former Gov. Edwin Edwards, now in federal prison, and other politicians with less-than-sterling reputations.

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DOING THE COURTROOM SHUFFLE: One of former District Attorney Eddie Jordan's colleagues will temporarily take over the section of Criminal District Court vacated by the recent retirement of Judge Calvin Johnson.

The Louisiana Supreme Court this week appointed Byron Williams to run the Section E courtroom from Feb. 1 through July 31.

Williams, 53, a former federal prosecutor, was brought over to the district attorney's office by Jordan in 2003. He served as chief of the Economic Crime Division and most recently was a senior trial attorney.

Until Feb. 1, retired Judge Jerome Winsberg will sit in Section E.

Johnson's retirement, meanwhile, caused a courtroom shuffle at the Tulane and Broad courthouse, and much gossip that Judge Lynda Van Davis tried to pull a fast one by rushing into Johnson's Section E courtroom before a colleague could. Since her election in 2003, Davis has been stuck in one of the cramped courtrooms on the building's third floor, called "the attic."

However, Judicial Administrator Rob Kazik said Davis is enjoying the spacious corner courtroom that was Johnson's only until her Section B staff moves down to the first-floor courtroom that has been home to Judge Darryl Derbigny. Derbigny, who also started out in the attic, was elected one year before Davis and has first dibs on taking over the former Section E digs.

Davis' third-floor court will become home to Section E as soon as the moving dust settles, Kazik said.

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